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**Trade & Economic Development  
Committee**

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**HB 2347**

**Brief Description:** Authorizing additional sales tax authority for public facilities districts.

**Sponsors:** Representatives McDonald, Morrell, Edwards and Hinkle.

**Brief Summary of Bill**

- Authorizes public facilities districts created after July 1, 2005, but before June 30, 2007, to impose a sales and use tax of up to 0.333 percent for the construction of a new cultural center or the improvement or rehabilitation of an existing cultural center, so long as work on the cultural center commences prior to January 1, 2008.

**Hearing Date:** 1/22/04

**Staff:** Tracey Taylor (786-7196).

**Background:**

A public facilities district may be created upon adoption of a resolution by the county legislative authority in which the proposed district is located. A public facilities district is a municipal corporation, and independent taxing authority within the meaning of Article VII, Section 1 of the State Constitution, and a taxing district within the meaning of Article VII, Section 2 of the State Constitution. A public facilities district is a body corporate and possesses all the usual powers of a corporation for public purposes or specially conferred by statute.

A public facilities district is authorized to acquire, construct, own, remodel, maintain, equip, reequip, repair, and operate sports facilities, entertainment facilities, convention facilities or regional centers, together with contiguous parking facilities. In addition to existing authorities, public facilities districts formed after January 1, 2000, may acquire, construct, maintain, and operate recreation facilities other than ski areas.

Districts formed prior to 2002 may impose a 0.33 percent sales tax that is deducted from the state sales tax and is not an increase to taxpayers. Public facilities districts also may levy a 0.2 percent sales tax and a 2 percent lodging tax if approved by a majority of voters in the district.

**Summary of Bill:**

A public facilities district created by a city, town, or county after July 1, 2005, but before June 30, 2007, may impose a sales and use tax for the construction, improvement or rehabilitation of a

cultural center. The construction of a new cultural center or the improvement or rehabilitation of an existing cultural center must begin prior to January 1, 2008.

The public facilities sales and use tax may not exceed 0.333 percent and cannot be imposed prior to September 1, 2005. This public facilities sales and use tax must be deducted from the amount of sales and use tax due to the Department of Revenue. This sales and use tax expires when the bonds issued for the construction of the regional center and related parking garage are retired, or after 25 years, whichever is first.

The moneys collected from the public facilities sales and use tax must be used for the construction, improvement or rehabilitation of a cultural center and be matched with private or other public sources equal to 33 percent of the moneys collected by the public facilities sales and use tax. The public source cannot include nonvoter approved taxes authorized by the public facilities district.

If both the city's or town's public facilities district and the county's public facilities district impose a sales and use tax for a cultural center, then the city's or town's public facilities district tax shall be credited against the county sales and use tax.

If a county public facilities district in a county with a population of one million or more has imposed a sales and use tax for a baseball stadium or if a county created public stadium authority has imposed a sales and use tax to develop a stadium and exhibition center, then it cannot also impose the sales and use tax for the construction, improvement or rehabilitation of a cultural center.

**Appropriation:** None.

**Fiscal Note:** Requested on January 13, 2004.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.